

## **REMARKS**

### **I. Introduction**

Claims 1-20 are pending in the above application. Claims 1-20 stand rejected under 35 U.S.C. § 102 as being anticipated by *Fichet*.

### **II. Objection to the Specification**

The use of the term “comprise” in paragraph [0024] is objected to by the Examiner. The word comprise does not appear in paragraph [0024]. Applicants assume the Examiner meant to point to the term “comprises” in paragraph [0026] and also assume the Examiner would like Applicants to replace that word with –comprise--.

Element 516 has been amended in paragraph [0029] to read –518--.

The above corrections should satisfy the informalities objection. Applicants respectfully request withdrawal of the objections to the Specification.

### **III. Rejections under 35 U.S.C. § 112**

Claim 14 stands rejected under 35 U.S.C. § 112, second paragraph. Claim 14 has been amended to recite “a satellite” instead of “said satellite”. Withdrawal of the rejection is respectfully requested.

### **IV. Rejections under 35 U.S.C. § 102**

Claims 1-20 stand rejected under 35 U.S.C. § 102 as being anticipated by *Fichet*. Applicants respectfully disagree.

Fichet discloses a method of broadcasting a message having a text portion to be communicated to a user, the method including broadcasting the message in the form of an entitlement management message for reception by the user. (Fichet, Abstract)

The Examiner's attention is directed to the fact that Fichet fails to teach, disclose, or suggest a "local headend", as recited in independent claims 1, 8, 14, and 20.

The present invention provides, in one embodiment, a method and apparatus for providing access protection in a digital television distribution system having a master headend and at least one local headend is described. In one embodiment, first authorization data associated with content services for distribution is defined. The content services are protected at the master headend. The first authorization data is protected at the master headend. Digital transport stream data is then generated from the protected content services and the protected authorization data for transmission to each of the local headends. For example, in one embodiment, the first authorization data comprises entitlement management messages (EMMs) configured to authorize set-top boxes for viewing particular content services. (See Applicants' Specification, paragraph [0006])

In contrast, Fichet is completely devoid of the teaching, disclosure or suggestion of a local headend. The Examiner points to element 13 of Fichet as disclosing a local headend, however, the Examiner's reliance on this element is misplaced. Fichet discloses that "signals received by receiver 12 are transmitted to an integrated receiver/decoder 13 owned or rented by the end user and connected to the end user's television set 14. The receiver/decoder 13 decodes the compressed MPEG-2 signal into a television signal for the television set 14. Although a separate receiver/decoder is shown in FIG. 1, the receiver/decoder may also be part of an integrated digital television. As used herein, the

term "receiver/decoder" includes a separate receiver/decoder, such as a set-top box, and a television having a receiver/decoder integrated therewith". As such, since Fichet describes element 13 as a set-top box, this element cannot read on a "local headend" as recited by Applicants' claims.

Therefore, independent claims 1, 8, 14, and 20 are patentable over the cited reference. As such, claims 2-7, 9-13, and 15-19 are patentable at least by virtue of depending from their respective base claims.

### **Conclusion**

Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

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Respectfully submitted,

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